

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
06/26/2001

06/05/2001

CLERK OF THE COURT  
FORM R102B

JUDGE PRO TEM SUSAN HENNESY

J. Mabry  
Deputy

CR 2001-002949

FILED: \_\_\_\_\_

STATE OF ARIZONA

JEFFREY R DUVENDACK

v.

DANIEL BRUCE FAGIN

JOHN W BLISCHAK

DOCKET-CRIMINAL-CCC  
MCSO-OIC  
VICTIM WITNESS DIV-CA-CCC

**WAIVER OF PRELIMINARY HEARING AND**  
**PLEA AGREEMENT ARRAIGNMENT PROCEEDINGS**

10:18 a.m. This is the time set for Hearing on Defendant's Motion to Quash. State is represented by Brent Bryson. Defendant is present and represented by above-named counsel.

Court Reporter, Sharon Jeffers, is present.

LET THE RECORD REFLECT a bench warrant was previously issued for the Defendant as a result of his failure to appear for the Initial Appearance/Preliminary Hearing.

Defense counsel presents statements to the Court.

Defendant having appeared this date,

IT IS ORDERED quashing the Bench Warrant previously issued on April 30, 2001.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
06/26/2001

06/05/2001

CLERK OF THE COURT  
FORM R102B

JUDGE PRO TEM SUSAN HENNESY

J. Mabry  
Deputy

CR 2001-002949

The Defendant appears before the Court and the Initial Appearance is conducted.

The Defendant is advised of the right to remain silent and the right to counsel.

LET THE RECORD REFLECT that a Notice of Appearance was filed on May 22, 2001 by John Blischak as attorney of record for the Defendant for all further proceedings in this case.

The Defendant waives the reading of the Direct Complaint.

IT IS ORDERED that the Defendant is to appear before the Maricopa County Sheriff's Office **within two weeks of this date** to be fingerprinted.

Defendant is advised as to the prior waiver of right to a Preliminary Hearing and Plea Agreement signed by Defendant and counsel.

The Defendant states true name as is noted in the agreement.

The Court advises the Defendant as to the range of possible sentences for the offense, including whether or not probation is available and any other conditions imposed by statute, including special requirements for probation, if available. The Court further advises the Defendant as to all constitutional rights waived by the Plea Agreement.

**The parties indicate that they believe that the Defendant has no violent crime convictions or previous drug convictions. The Defendant is therefore advised of the penalties for first-time drug offenses under A.R.S. Section 13-901.01(A).**

The Court further advises the Defendant that by entering into a plea agreement that he/she waives the right to have the

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
06/26/2001

06/05/2001

CLERK OF THE COURT  
FORM R102B

JUDGE PRO TEM SUSAN HENNESY

J. Mabry  
Deputy

CR 2001-002949

Arizona Court of Appeals review the proceedings by way of a direct appeal, and may seek review only by filing a Petition for Post Conviction Relief, pursuant to Rule 32 within 90 days of entry of judgment and sentencing.

Upon inquiry, the Court finds that the Defendant desires to forego the constitutional rights, that the plea of:

GUILTY is made knowingly, intelligently and voluntarily, not the result of force, threats or promises; that there is a factual basis for the plea; and that the Defendant understands the range of sentences and other penalties available.

The Defendant enters a plea of **Guilty** to the following crime(s):

OFFENSE: **COUNT 2, AMENDED, POSSESSION OF DRUG PARAPHERNALIA**, a class 6 undesignated, nondangerous and nonrepetitive offense in violation of A.R.S. Sections 13-3401, 3407, 3415, 3418, 701, 702, 702.01, 707, 801, and 802 committed on August 12, 2000.

The plea of the Defendant is **accepted** and entered of record.

The Defendant having waived the right to be sentenced within thirty (30) days,

IT IS ORDERED setting time for entry of judgment of guilt and sentencing on **July 17, 2001 at 8:30 a.m.**, before Judge Pro Tem Susan Hennesy.

LET THE RECORD REFLECT that the parties have waived the preparation of a formal written presentence report.

**ALL PARTIES STIPULATE TO HAVING THE EDC ADULT PROBATION OFFICE PREPARE A WRITTEN RECOMMENDATION IN LIEU OF A PRESENTENCE REPORT.**

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
06/26/2001

06/05/2001

CLERK OF THE COURT  
FORM R102B

JUDGE PRO TEM SUSAN HENNESY

J. Mabry  
Deputy

CR 2001-002949

ISSUED: Request for EDC Report (Red Slip)

IT IS FURTHER ORDERED that the motion to dismiss Count 1 as reflected in the Plea Agreement, will be deemed submitted at the time of sentencing.

IT IS ORDERED releasing the Defendant on his own recognizance pending future hearings.

ISSUED: Release Order.

IT IS FURTHER ORDERED vacating any pending dates.

FILED: Plea Agreement.

10:27 a.m. Matter concludes.

LATER:

The Sheriff's Office was contacted at 3:53 p.m. on this date (Jenny-OIC) and the Court is advised that the warrant is cleared.